



U.S. DEPARTMENT OF HOMELAND SECURITY

**FISCAL YEAR 2010**

**EARTHQUAKE CONSORTIA MODIFICATION -**

**GUIDANCE AND APPLICATION KIT**

**APRIL 2010**



U.S. DEPARTMENT OF HOMELAND SECURITY

**Title of Opportunity: Fiscal Year 2010 Earthquake Consortia**

**Funding Opportunity Number:** DHS-10-MT-082-000-01

**Federal Agency Name:** U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA)

**Announcement Type:** Initial

**Dates:** Completed applications must be submitted **no later than 11:59 PM Eastern, July 7, 2010.**

# CONTENTS

<b>Contents.....</b>	<b>2</b>
<b>Part I. FUNDING OPPORTUNITY DESCRIPTION.....</b>	<b>3</b>
<b>Part II. AWARD INFORMATION .....</b>	<b>6</b>
<b>Part III. ELIGIBILITY INFORMATION .....</b>	<b>7</b>
A.    Eligible Applicants.....	7
B.    Cost Sharing .....	7
C.    Restrictions .....	7
D.    Other .....	7
<b>Part IV. APPLICATION AND SUBMISSION INFORMATION .....</b>	<b>8</b>
A.    Address to Request Application Package .....	8
B.    Content and Form of Application .....	8
4.    Eligible Activities and Requirements .....	9
C.    Submission Dates and Times .....	10
D.    Intergovernmental Review .....	10
E.    Funding Restrictions .....	10
<b>Part V. APPLICATION REVIEW INFORMATION .....</b>	<b>11</b>
A.    Review Criteria.....	11
B.    Review and Selection Process .....	11
C.    Anticipated Announcement and Award Dates .....	11
<b>Part VI. AWARD ADMINISTRATION INFORMATION .....</b>	<b>12</b>
A.    Notice of Award .....	12
B.    Administrative and National Policy Requirements .....	12
C.    Reporting Requirements .....	19
<b>Part VII. FEMA CONTACTS .....</b>	<b>23</b>

## PART I.

# FUNDING OPPORTUNITY DESCRIPTION

The Federal Emergency Management Agency (FEMA) proposes to enter into a Cooperative Agreement for an estimated \$910,000 with three Earthquake Consortia for the purposes of supporting nonprofit organizations which: deliver education and training to community and State officials; develop seismic policies and share information to promote programs intended to reduce earthquake-related losses; and reduce the loss of life, injuries, property losses, and social and economic disruption that results from all hazards.

Natural hazards exist everywhere. Throughout its history, the United States has experienced floods, wildfires, winter storms, landslides, windstorms, and earthquakes. But of all of these natural disasters, earthquakes pose one of the greatest threats to lives, property, and economy, not only to communities within the western and central US, but indirectly to the Nation as a whole.

Under Public Law 95-124, as amended, Congress established the National Earthquake Hazards Reduction Program (NEHRP). In 2008, NEHRP agencies engaged in the development of a strategic plan to guide NEHRP over the 2009-2013 timeframe. The strategic plan focuses on three overarching goals to develop, disseminate, and promote knowledge, tools, and practices for earthquake risk reduction:

- Improve the understanding of earthquake processes and impacts;
- Develop cost-effective measures to reduce earthquake impacts on individuals, the built environment, and society-at-large; and
- Improve the earthquake resilience of communities nationwide.

The purpose of this funding, through the Central US Earthquake Consortium (CUSEC), Northeast States Emergency Consortium (NESEC), and Western States Seismic Policy Council (WSSPC) is to provide guidance and assistance to States and local communities by:

- i) Developing seismic policies and sharing information promoting programs intended to reduce earthquake-related losses;
- ii) Providing forums for information exchange to develop, adopt, and promote policy recommendations;
- iii) Conducting outreach to local governments and the business community, and maintain and strengthen partnerships with other earthquake consortia;
- iv) Helping deliver professional training to local communities;
- v) Educating citizens about the risks they face, and developing public awareness and education tools and resources; and

- vi) Encouraging public and private partnerships that benefit local communities.

Each fiscal year, FEMA establishes target allocations of Consortia Cooperative Agreement program funds for each eligible Consortium. The specific activities and the distribution of funds among them that will be undertaken with these cooperative agreements will be determined during the negotiations between FEMA and CUSEC, NESEC, and WSSPC.

### **Modification to Original Solicitation - Great Central U.S. ShakeOut**

In cooperation with dozens of partners, CUSEC Member States, and the Southern California Earthquake Center (SCEC), CUSEC will coordinate and organize a large scale, multi-state earthquake outreach campaign called the Great Central U.S. ShakeOut. CUSEC will be the lead coordinating organization for this campaign, which will be centered around a drop, cover, and hold drill that will take place on April 28, 2011 and involve 1 Million participants. Organization and promotion of the ShakeOut will be done primarily through efforts across the CUSEC Member States and four FEMA Regions.

The ShakeOut will be one of the anchoring events of the National Level Exercise 2011 (NLE2011) and the New Madrid Bicentennial (NMB) events. CUSEC will create a central website for ShakeOut registration, promotion, and coordination. In addition, CUSEC will provide multi-media, print, audio, and other promotional items for use in the eight states and other interested parties

### **Definitions:**

*Program* means the complete set of approved earthquake hazards reduction activities (described in the Consortia work plan (program narrative)) undertaken by a Consortia, in partnership with FEMA, in a given Federal fiscal year.

*Program period* is the duration of time over which an earthquake hazards reduction program is implemented.

*Cooperative Agreements* are the mechanism for FEMA to provide funding through the National Earthquake Hazards Reduction Program (NEHRP) to earthquake consortiums to develop programs specifically related to earthquake hazards reduction.

*Target Allocation* is the maximum amount of FEMA earthquake program funds presumably available to an eligible consortium in a fiscal year. The target allocation is not necessarily the amount of funding that a consortium will actually receive from FEMA. Rather, it represents a planning basis of negotiations between the consortia and the FEMA Program Manager, which will ultimately determine the actual amount of consortium cooperative agreement funding provided by FEMA.



## PART II.

# AWARD INFORMATION

DHS/FEMA anticipates awarding three (3) awards under this Cooperative Agreement. Funding is limited to CUSEC, NESEC, and WSSPC.

### ***Authorizing Statutes***

Earthquake Hazards Reduction Act of 1977, as amended by the National Earthquake Hazards Reduction Act of 2004 (P.L. 108-360), 42 U.S.C. 7701 *et seq.*; The Homeland Security Act of 2002, as amended, 6 U.S.C. 101 *et seq.*

### ***Period of Performance***

The period of performance of this grant is 12 months from date of award. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications as to why an extension is required.

### ***Available Funding***

In fiscal year (FY) 2010, the total amount of funds distributed under this grant will be \$850,000. The following target allocations constitute the distribution of funds:

1. \$510,000.00 to CUSEC
2. \$200,000.00 to NESEC
3. \$200,000.00 to WSSPC

FEMA will provide Consortia program overarching oversight to ensure collaboration and sharing amongst all Consortia of crosscutting efforts to include projects, best practices, and success stories. FEMA will coordinate and host periodic conference calls as well as participate in Consortia quarterly meetings/working groups designed to monitor and report on Consortia activities and progress. FEMA will provide consultation and programmatic expertise in support of work plan development which contribute to FEMA NEHRP goals and FEMA's mission of fostering disaster resilience. FEMA will collect and report on Consortia mitigation sponsored/facilitated training activities, workshops, and seminars.

## PART III. ELIGIBILITY INFORMATION

### A. Eligible Applicants

This funding opportunity is restricted to CUSEC, NESEC, and WSSPC.

### B. Cost Sharing

Cost sharing is not required.

### C. Restrictions

This program is non-competitive and restricted to certain specialized/qualified organizations designated by FEMA. Project grants (cooperative agreements) enable the consortia to engage in earthquake mitigation activities.

### D. Other

#### ***National Incident Management System Implementation Compliance***

In accordance with Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the adoption of the National Incident Management System (NIMS) is a requirement to receive Federal assistance, through grants, contracts, and other activities. The NIMS provides a consistent nationwide template to enable all levels of government, tribal nations, nongovernmental organizations, and private sector partners to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity.

Federal FY 2009 NIMS implementation must be considered prior to allocation of any Federal awards in FY 2010. The primary grantee/administrator of FY 2010 Earthquake Consortia award funds is responsible for determining if sub-awardees have demonstrated sufficient progress in NIMS implementation to disburse awards.



## PART IV.

# APPLICATION AND SUBMISSION INFORMATION

### A. Address to Request Application Package

FEMA makes all funding opportunities available through the common electronic “storefront” [grants.gov](http://www.grants.gov), accessible on the Internet at <http://www.grants.gov>. If you experience difficulties accessing information or have any questions please call the [grants.gov](http://www.grants.gov) customer support hotline at (800) 518-4726.

Application forms and instructions are available at Grants.gov. To access these materials, go to <http://www.grants.gov>, select “Apply for Grants,” and then select “Download Application Package.” Enter the CFDA and/or the funding opportunity number located on the cover of this announcement. Select “Download Application Package,” and then follow the prompts to download the application package. To download the instructions, go to “Download Application Package” and select “Instructions.”

### B. Content and Form of Application

The application must be completed and submitted using [www.grants.gov](http://www.grants.gov) after Central Contractor Registration (CCR) is confirmed. The on-line application includes the following required forms and submissions:

- Standard Form 424, Application for Federal Assistance
- Standard Form 424A, Budget Information (Non-construction)
- Standard Form 424B, Standard Assurances (Non-construction)
- Standard Form LLL, Disclosure of Lobbying Activities (if the grantee has engaged or intends to engage in lobbying activities)
- Grants.gov (GG) Lobbying Form, Certification Regarding Lobbying
- FEMA Form 20-16C, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
- Work Plan
- Cooperative Agreement Budget
- Master Schedule/Work Breakdown Structure
- Deliverable Table

The program title listed in the CFDA is “*Earthquake Consortia and State Assistance.*” The CFDA number is **97.082**.

1. **Application via [www.grants.gov](http://www.grants.gov).** All applicants must file their applications using the Administration's common electronic "storefront" - [www.grants.gov](http://www.grants.gov). Eligible grantees must apply for funding through this portal, accessible on the Internet at [www.grants.gov](http://www.grants.gov).
2. **Dun and Bradstreet Data Universal Numbering System (DUNS) number.** The applicant must provide a DUNS number with their application. This number is a required field within [www.grants.gov](http://www.grants.gov) and for CCR. Organizations should verify that they have a DUNS number, or take the steps necessary to obtain one, as soon as possible. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at (866) 705-5711.
3. **Central Contractor Registration (CCR).** The application process also involves an updated and current CCR by the applicant, which must be confirmed at <http://www.ccr.gov>.

#### 4. Eligible Activities and Requirements

Consortia eligibility for cooperative agreement funding is based on the following activities:

- Participate in Consortia Board of Director meetings and administration activities;
- Provide program management of the Consortia cooperative agreement, financial administration, program reporting, strategic planning and implementation;
- Represent Consortia initiatives at earthquake community events including conferences, working groups, workshops, forums, multi-hazard roundtables, etc.;
- Develop, manage and disseminate earthquake information with a focused message to Consortia stakeholders utilizing but not limited to Consortia websites, newsletters, publications, position papers, etc.;
- Create, manage, and implement outreach and educational programs;
- Create, manage, and implement technical/non-technical earthquake projects, scenarios, and scientific studies; and
- Encourage and facilitate earthquake community of interest partnerships (governmental, private sector, scientific, public, non-profits, and other earthquake Consortia).
- Preliminary planning, marketing, logistics and theme development for the FY11 National Earthquake Conference featuring the New Madrid Earthquake Bicentennial (CUSEC funded only not to exceed 7% of CUSEC's total cooperative agreement budget)

Application submissions require a summary (narrative) of an applicant's work plan for cooperative agreement funding that identifies the strategies, goals, and proposed Consortia activities and elements demonstrating enhanced seismic safety. Work plans must include expected products and measurable improvements associated with proposed activities and a schedule with milestones for completion.

The grantee must use Earned Value Management methodology to report the Budgeted Cost of Work Scheduled (BCWS), Actual Cost of Work Performed (ACWP), and the Budgeted Cost of Work Performed (BCWP) for all applicable cooperative agreement reporting used to prepare the Cooperative Agreement Budget (CAB). Reporting is also required on subcontracts which based on risk, schedule, or dollar value criticality may potentially impact successful fulfillment of this cooperative agreement.

The CAB shall be prepared with Work Breakdown Structure (WBS) cost categories. Tasks and sub-tasks will be categorized in terms of discrete effort and shall correlate directly with the work plan master schedule and deliverables identified in the work plan delivery table.

Cooperative agreement deliverables will be identified in the applicant's submitted work plan and deliverable table. The minimum program management deliverables shall be provided according to the schedule and format specified in the table found in Part VI C.2 of this document.

### **C. Submission Dates and Times**

Application submissions must be received no later than 11:59 PM, EST May 30, 2010. Only applications made through [www.grants.gov](http://www.grants.gov) will be accepted.

### **D. Intergovernmental Review**

This funding opportunity is not subject to Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs."

### **E. Funding Restrictions**

DHS grant funds may only be used for the purpose set forth in the grant, and must be consistent with the statutory authority for the award. Grant funds may not be used for matching funds for other Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity.

Pre-award costs are allowable only with the written consent of DHS and if they are included in the award agreement.

Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this program. Federal employees may not receive funds under this award.

## **PART V.**

# **APPLICATION REVIEW INFORMATION**

### **A. Review Criteria**

The application (narrative/work plan) will be reviewed by FEMA for consistency with the goals and objectives stated in Part I. All financial and progress reports for prior awards must be current at the time of application.

### **B. Review and Selection Process**

The application will be reviewed and recommended for funding by FEMA based on the submitted work plan, CAB, master schedule/WBS, and deliverable table.

Funds will not be made available for obligation, expenditure, or drawdown until the applicant's budget and budget narrative have been approved by FEMA.

The applicant must provide a detailed budget for the funds requested. The detailed budget must be submitted with the grant application as a file attachment within [www.grants.gov](http://www.grants.gov). The budget must be complete, reasonable, and cost-effective in relation to the proposed project. The budget should provide the basis of computation of all project-related costs, any appropriate narrative, and a detailed justification of M&A costs.

### **C. Anticipated Announcement and Award Dates**

FEMA will evaluate and act on applications within 30 days following close of the application period. Awards will be made on or before September 30, 2010.

## PART VI.

# AWARD ADMINISTRATION INFORMATION

### A. Notice of Award

Upon approval of an application, the grant will be awarded to the grantee. The date that this is done is the “award date.” Notification of award approval is made through the Grants Management System (GMS). Once an award has been approved, a notice is sent to the authorized grant official. Follow the directions in the notification to accept your award documents. The authorized grant official should carefully read the award and special condition documents. If you do not receive a notification, please contact your FEMA Program Office for your award number. Once you have the award number, contact the GMS Help Desk at (888) 549-9901, option three, to obtain the username and password associated with the new award.

The period of performance is 12 months and begins on the Project Period/Budget Period start date listed in the award package. Any unobligated funds will be de-obligated at the end of the close-out period. Extensions to the period of performance will be considered only through formal requests to FEMA with specific and compelling justifications why an extension is required. All extension requests must be submitted to FEMA at least 60 days prior to the end of the period of performance and must address:

- Reason for delay;
- Current status of the activity/activities;
- Approved period of performance termination date and new project completion date;
- Remaining available funds, both Federal and non-Federal;
- Budget outlining how remaining Federal and non-Federal funds will be expended;
- Plan for completion including milestones and timeframes for achieving each milestone and the position/person responsible for implementing the plan for completion; and
- Certification that the activity/activities will be completed within the extended period of performance without any modification to the original Statement of Work approved by FEMA.

### B. Administrative and National Policy Requirements

The recipient and any sub-recipient(s) must, in addition to the assurances made as part of the application, comply and require each of its subcontractors employed in the completion of the project to comply with all applicable statutes, regulations, executive orders, OMB Circulars, terms and conditions of the award, and the approved application.

- 1. Standard Financial Requirements.** The grantee and any subgrantee(s) shall comply with all applicable laws and regulations. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

**1.1 – Administrative Requirements.**

- 44 CFR Part 13, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*
- 2 CFR Part 215, *Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations* (OMB Circular A-110)

**1.2 – Cost Principles.**

- 2 CFR Part 225, *Cost Principles for State, Local, and Indian tribal Governments* (OMB Circular A-87)
- 2 CFR Part 220, *Cost Principles for Educational Institutions* (OMB Circular A-21)
- 2 CFR Part 230, *Cost Principles for Non-Profit Organizations* (OMB Circular A-122)
- 48 CFR 31.2, Federal Acquisitions Regulations (FAR), *Contracts with Commercial Organizations*

**1.3 – Audit Requirements.**

- OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*

**1.4 – Duplication of Benefits.** There may not be a duplication of any Federal assistance by governmental entities, per 2 CFR Part 225, Basic Guidelines Section C.3 (c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Authority may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per 2 CFR Parts 220 and 230 and 48 CFR 31.2.

- 2. Payment.** DHS/FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to Recipients. To enroll in the DD/EFT, the Recipient must complete a Standard Form 1199A, Direct Deposit Form, found at <http://www.fms.treas.gov/eft/1199a.pdf>.

The Recipient may be paid in advance, or reimbursed by completing the Standard Form (SF) 270, Request for Advance/Reimbursement. In order to download the Standard Form 270, the Recipient may use the following link:  
<http://www.whitehouse.gov/omb/grants/sf270.pdf>

**2.1 – Advance Payment.** In accordance with Treasury regulations at 31 CFR Part 205, the Recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds (See 44 CFR Part 13.21(i)) regarding payment of interest earned on advances. In order to request an advance, the Recipient must maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds from DHS and expenditure and disbursement by the Recipient. When these requirements are not met, the Recipient will be required to be on a reimbursement for costs incurred method.

**NOTE: FUNDS WILL NOT BE AUTOMATICALLY TRANSFERRED UPON ISSUANCE OF THE GRANT. GRANTEEES MUST SUBMIT A REQUEST FOR ADVANCE/REIMBURSEMENT (SF-270) IN ORDER FOR THE FUNDS TO BE TRANSFERRED TO THE GRANTEE’S ACCOUNT.**

- 3. Non-supplanting Requirement.** Grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Applicants or grantees may be required to supply documentation certifying that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

**4. Administrative Requirements.**

**4.1 – Freedom of Information Act (FOIA).** FEMA recognizes that much of the information submitted in the course of applying for funding under this program or provided in the course of its grant management activities may be considered law enforcement sensitive or otherwise important to national security interests. While this information under Federal control is subject to requests made pursuant to the *Freedom of Information Act* (FOIA), 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis by the FEMA FOIA Office, and may likely fall within one or more of the available exemptions under the Act. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application, needs assessment and strategic planning process. The grantee should be familiar with the regulations governing Sensitive Security Information (49 CFR Part 1520), as it may provide additional protection to certain classes of homeland security information.

**4.2 – Compliance with Federal civil rights laws and regulations.** The grantee is required to comply with Federal civil rights laws and regulations. Specifically, the grantee is required to provide assurances as a condition for receipt of Federal funds that its programs and activities comply with the following:

- *Title VI of the Civil Rights Act of 1964*, as amended, 42 U.S.C. §2000 et seq. – Provides that no person on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with Limited English Proficiency (LEP). (42 U.S.C. §2000d et seq.)
- *Title IX of the Education Amendments of 1972*, as amended, 20 U.S.C. §1681 et seq. – Provides that no person, *on the basis of sex*, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance.
- *Section 504 of the Rehabilitation Act of 1973*, as amended, 29 U.S.C. §794 – Provides that no otherwise qualified individual with a disability in the United States, shall, *solely* by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or subject to discrimination in any program or activity receiving Federal financial assistance.
- *The Age Discrimination Act of 1975*, as amended, 20 U.S.C. §6101 et seq. – Provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes. The grantee is also required to submit information, as required, to the DHS Office for Civil Rights and Civil Liberties concerning its compliance with these laws and their implementing regulations.

**4.3 – Services to Limited English Proficient (LEP) persons.** Recipients of FEMA financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, natural origin, and sex in the delivery of services. National origin discrimination includes discrimination on the basis of limited English proficiency. To ensure compliance with Title VI, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. The grantee is encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs. For additional information, see <http://www.lep.gov>.



**4.4 – Certifications and Assurances.** Certifications and assurances regarding the following apply:

- *Lobbying.* 31 U.S.C. §1352, *Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions.* – Prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. FEMA and DHS have codified restrictions upon lobbying at 44 CFR Part 18 and 6 CFR Part 9. (Refer to form included in application package.)
- *Drug-free Workplace Act*, as amended, 41 U.S.C. §701 et seq. – Requires the recipient to publish a statement about its drug-free workplace program and give a copy of the statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out. Also, place(s) where work is being performed under the award (i.e., street address, city, state and zip code) must be maintained on file. The recipient must notify the Grants Officer of any employee convicted of a violation of a criminal drug statute that occurs in the workplace. For additional information, see 44 CFR Part 17.
- *Debarment and Suspension.* – Executive Orders 12549 and 12689 provide protection from fraud, waste, and abuse by debarring or suspending those persons that deal in an irresponsible manner with the Federal government. The recipient must certify that they are not debarred or suspended from receiving Federal assistance. For additional information, see 2 CFR Part 3000.
- *Federal Debt Status.* – The recipient may not be delinquent in the repayment of any Federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129) (Refer to SF-424, item number 17.)
- *Hotel and Motel Fire Safety Act of 1990.* – In accordance with section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds, complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, 15 U.S.C. §2225.

Grantees must comply with all regulations, guidelines, and standards adopted under the above statutes.

#### **4.5 – Integrating individuals with disabilities into emergency planning.**

Section 504 of the *Rehabilitation Act of 1973*, as amended, prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving financial funding from FEMA. In addition, Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness* signed in July 2004, requires the Federal government to support safety and security for individuals with disabilities in situations involving disasters, including earthquakes, tornadoes, fires, floods, hurricanes, and acts of terrorism. Executive Order 13347 requires the Federal government to encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.

#### **4.6 – Environmental Planning and Historic Preservation Compliance.** FEMA

is required to consider the potential impacts to the human and natural environment of projects proposed for FEMA grant funding. FEMA, through its Environmental Planning and Historic Preservation (EHP) Program, engages in a review process to ensure that FEMA-funded activities comply with various Federal laws including: *National Environmental Policy Act*, *National Historic Preservation Act*, *Endangered Species Act*, the *Clean Water Act*, and Executive Orders on Floodplains (11988), Wetlands (11990), Environmental Justice (12898). The goal of these compliance requirements is to protect our nation's water, air, coastal, wildlife, agricultural, historical, and cultural resources, as well as to minimize potential adverse effects to low-income and minority populations.

The grantee shall provide all relevant information to FEMA to ensure compliance with applicable Federal EHP requirements. Any project with the potential to impact natural or biological resources or historic properties cannot be initiated until FEMA has completed the required EHP review. In addition to a detailed project description that describes what is to be done with the grant funds, how it will be done, and where it will be done, grantees shall provide detailed information about the project (where applicable), including, but not limited to, the following:

- Project location (i.e., exact street address or map coordinates)
- Total extent of ground disturbance and vegetation clearing
- Extent of modification of existing structures
- Construction equipment to be used, staging areas, etc.
- Year that any affected buildings or structures were built
- Natural, biological, and/or cultural resources present within the project area and vicinity, including wetlands, floodplains, geologic resources, threatened or endangered species, or National Register of Historic Places listed or eligible properties, etc.
- Visual documentation such as good quality, color and labeled site and facility photographs, project plans, aerial photos, maps, etc.

- Alternative ways considered to implement the project (not applicable to procurement of mobile and portable equipment)

For projects that have the potential to impact sensitive resources, FEMA must consult with other Federal, State, and tribal agencies such as the U.S. Fish and Wildlife Service, State Historic Preservation Offices, and the U.S. Army Corps of Engineers, as well as other agencies and organizations responsible for the protection and/or management of natural and cultural resources, including Federally-recognized Indian tribes, Tribal Historic Preservation Offices, and the Department of the Interior, Bureau of Indian Affairs. For projects with the potential to have adverse effects on the environment and/or historic properties, FEMA's EHP review process and consultation may result in a substantive agreement between the involved parties outlining how the grantee will avoid the effects, minimize the effects, or, if necessary, compensate for the effects. Grantees who are proposing communication tower projects are encouraged to complete their Federal Communications Commission (FCC) EHP process prior to preparing their EHP review materials for FEMA, and to include their FCC EHP materials with their submission to FEMA. Completing the FCC process first and submitting all relevant EHP documentation to FEMA will help expedite FEMA's review.

Because of the potential for adverse effects to EHP resources or public controversy, some projects may require an additional assessment or report, such as an Environmental Assessment, Biological Assessment, archaeological survey, cultural resources report, wetlands delineation, or other document, as well as a public comment period. Grantees are responsible for the preparation of such documents, as well as for the implementation of any treatment or mitigation measures identified during the EHP review that are necessary to address potential adverse impacts. Grantees may use grant funds toward the costs of preparing such documents. The use of grant funds for mitigation or treatment measures that are not typically allowable expenses will be considered on a case-by-case basis. Failure of the grantee to meet Federal, State, local and territorial EHP requirements, obtain required permits, and comply with any conditions that may be placed on the project as the result of FEMA's EHP review may jeopardize Federal funding.

Recipients shall not undertake any project without the prior approval of FEMA, and must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project description will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the recipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the recipient will immediately cease construction in that area and notify their FEMA Program Office, and the appropriate State Historic Preservation Office. Any projects that have been initiated prior to approval will result in a non-compliance finding and will not be eligible for funding.

For more information on FEMA's EHP requirements, Grantees should refer to FEMA's Information Bulletin #329, *Environmental Planning and Historic Preservation Requirements for Grants*, available at <http://ojp.usdoj.gov/odp/docs/info329.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

## C. Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special conditions found in the award package for a full explanation of these requirements). Any reports or documents prepared as a result of this grant shall be in compliance with Federal "plain English" policies, directives, etc. Please note that PARS contains edits that will prevent access to funds if reporting requirements are not met on a timely basis.

- 1. Federal Financial Report (FFR) – required quarterly.** Obligations and expenditures must be reported on a quarterly basis through the FFR (SF-425), which replaced the SF-269 and SF-272, which is due within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, the FFR is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund draw downs may be withheld if these reports are delinquent. The final FFR is due 90 days after the end date of the performance period.

**FFRs must be filed according to the process and schedule below:**

FFRs must be filed manually to the GPD Point of Contact which will be determined at time of award.

Reporting periods and due dates:

- October 1 – December 31; *Due January 30*
- January 1 – March 31; *Due April 30*
- April 1 – June 30; *Due July 30*
- July 1 – September 30; *Due October 30*

## 2. Progress Updates and Reports.

All updates and reports are due by the 30<sup>th</sup> day (or the first working day following, if the 30<sup>th</sup> falls on a weekend) following the completion of the quarter. The reporting period shall always cover the previous quarter. All data shall be maintained, archived in electronic format and submitted to the GPD point of contact which will be determined at time of award.

The quarterly report shall be in narrative format outlining work completed, expected products, and measurable improvements in accordance with the approved work plan,

master schedule/WBS, and CAB. The quarterly report shall capture both training and publication distribution metrics, document/explain missed milestones, and identify project risks accompanied by a risk mitigation strategy.

The grantee shall use Earned Value Management methodology to report the Budgeted Cost of Work Scheduled (BCWS), Actual Cost of Work Performed (ACWP), and the Budgeted Cost of Work Performed (BCWP) for all applicable cooperative agreement reporting used to prepare the Cooperative Agreement Budget (CAB). Reporting is also required on subcontracts which based on risk, schedule, or dollar value criticality may potentially impact successful fulfillment of this cooperative agreement.

The CAB and master schedule shall be prepared with Work Breakdown Structure (WBS) cost categories. Tasks and sub-tasks will be categorized in terms of discrete effort and shall correlate directly with deliverables identified in the work plan delivery table.

The following schedule updates and reports and shall be provided according to the schedule and format specified in the following table:

	<b>Report</b>	<b>Due</b>	<b>Gov't Comments</b>	<b>Re- submittal Due</b>	<b>Format</b>
<b>1</b>	Master Schedule/WBS	30 <sup>th</sup> day following the end of a quarter to be reported or as required due to work plan modifications or significant changes to the schedule or deliverable table	5 business days after receipt	3 business days after receipt of gov't comments	MS Project, MS Power Point (if approved in advance)
<b>2</b>	CAB	30 <sup>th</sup> day following the end of a quarter to be reported or as required due to approved work plan modifications	5 business days after receipt	3 business days after receipt of gov't comments	MS Excel
<b>3</b>	Quarterly Reports (includes	30 <sup>th</sup> day following the	5 business days after	3 business days after	MS Word, MS Power

	overview/summary of work completed, training and publication distribution metrics, missed milestones, and project risks with mitigation strategy	end of every quarter coinciding with the submitted Master Schedule and CPR or as required due to approved work plan modifications	receipt	receipt of gov't comments	Point,
--	--	---	---------	---------------------------	--------

- 3. Financial and Compliance Audit Report.** Recipients that expend \$500,000 or more of Federal funds during their fiscal year are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with GAO's *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and *OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Audit reports are currently due to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, the Secretary of Homeland Security and the Comptroller General of the United States shall have access to any books, documents, and records of recipients of FY2010 Earthquake Consortia assistance for audit and examination purposes, provided that, in the opinion of the Secretary or the Comptroller, these documents are related to the receipt or use of such assistance. The grantee will also give the sponsoring agency or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant.

The State shall require that sub-grantees comply with the audit requirements set forth in *OMB Circular A-133*. Recipients are responsible for ensuring that sub-recipient audit reports are received and for resolving any audit findings.

- 4. Monitoring.** Grant recipients will be monitored periodically by FEMA staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Monitoring will be accomplished through a combination of desk-based reviews and on-site monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, performance and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

The recipient is responsible for monitoring award activities, to include sub-awards, to provide reasonable assurance that the Federal award is administered in compliance

with requirements. Responsibilities include the accounting of receipts and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

5. **Grant Close-Out Process.** Within 90 days after the end of the period of performance, grantees must submit a final FFR and final progress report detailing all accomplishments throughout the period of performance. After these reports have been reviewed and approved by FEMA, a close-out notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for three years from the date of the final FFR. The grantee is responsible for returning any funds that have been drawdown but remain as unliquidated on grantee financial records.

***Required submissions: (1) final SF-425, due 90 days from end of grant period; and (2) final progress report, due 90 days from the end of the grant period.***

## PART VII.

# FEMA CONTACTS

1. **Grant Programs Directorate (GPD).** FEMA GPD's Grants Management Division will provide fiscal support, including pre- and post-award administration and technical assistance, to the grant programs included in this solicitation. Additional guidance and information can be obtained by contacting the FEMA Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov).
2. **FEMA Program Manager:** Designated officials responsible for the technical monitoring of the stages of work and technical performance of the activities described in the project description.

Robert Franzen  
Consortia Program Manager  
HQ Federal Emergency Management Agency/DHS  
500 C Street SW  
Washington, DC 20472  
(202) 212-2329 Voice  
(202) 212-2719 Fax  
[robert.franzen@dhs.gov](mailto:robert.franzen@dhs.gov)

Claudette Fetterman  
Consortia Deputy Program Manager  
HQ Federal Emergency Management Agency/DHS  
Mitigation Directorate  
500 C Street SW  
Washington, DC 20472  
(202) 646-4344 Voice  
(202) 212-2719 Fax  
[claudette.fetterman@dhs.gov](mailto:claudette.fetterman@dhs.gov)